

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Adjourned Meeting
June 13, 2000

6:30 p.m.

Meeting Convened. An Adjourned Meeting of the York County Board of Supervisors was called to order at 6:34 p.m., Tuesday, June 13, 2000, in the East Room, York Hall, by Chairman Walter C. Zaremba.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Donald E. Wiggins, James S. Burgett.

Melanie L. Rapp was absent.

Also in attendance were Daniel M. Stuck, County Administrator; and James E. Barnett, County Attorney.

WORK SESSION

YORKTOWN LIBRARY BRANCH RENOVATIONS

Ms. Barbara Goodwin, Universal Design Associates, interior designer for the renovation project, reviewed the floor plans for the renovations of the Yorktown Branch of the York County Library and the selections that have been made by the Library Board. She noted that the original consensus was to clean the library up with paint and new carpet, but it has since become more than a decorating project because of the needs and demands of the patrons. She explained how the plans include the redesign of the book stacks, the movement of the periodicals section away from the children's area, and the addition of new computers. She noted that the Yorktown Branch will be able to offer everything that the Tabb Branch offers.

Chairman Zaremba asked if any technology was being added to the conference room.

Ms. Goodwin stated the screen will be replaced; the changes in the conference room will be mostly cosmetic.

Mr. Robert S. Kraus, Director of General Services, indicated that cable and wiring needed for computer and video access will also be run into the conference room.

Discussion followed regarding the renovations and concerns about ensuring that adequate custodial services will be provided for the renovated facility.

Chairman Zaremba asked about the availability of funding for the project.

Mr. Stuck stated it will be up to the Board to determine whether or not the Board will want to come up with the entire \$480,000 for the project the Library Board has proposed and the staff was recommending in order to get a functional library facility. He stated there was \$200,000 already allocated, and some other funding was available in the FY01 Capital Improvements Program. The Library budget for FY99 had about \$50,000 that could be carried over and applied

to the project. There was also about \$60,000 left this year in the contingency reserve and some funds from the Tabb Library project. Mr. Stuck noted that the County had a good year in terms of expenditures, and staff felt there should be ample surplus so that the designated fund balance would not be affected. This funding would not affect this year's or the year 2001 budgets or any other projects. He stated if the Board wished to expedite the project, staff needed to prepare to bid the project over the summer even though the money would not be allocated until construction in October.

Mr. Burgett noted that the Library Foundation has collected \$50,000, and he asked if it was earmarked for anything.

Mrs. Janice Farley, Chairman of the York County Library Board of Trustees, indicated that requests can be made for Foundation funding. She noted that computers were a definite need, and the Librarian could put in a proposal.

Mr. Burgett stated he liked the idea of the Foundation providing money for computer equipment.

Mrs. Farley indicated the Foundation was anxious for the Library Board to provide them with such a proposal, and she agreed it would be a wonderful opportunity to add to the library facility.

Mr. Stuck stated that the proposal included the cost of redoing some of the bricks at the front of the library with names of people who have donated money to the Library Foundation. He suggested it would seem logical to ask the Foundation to pick up the cost of this work.

Mr. Wiggins indicated the project was costing a lot more than he thought it would.

Mrs. Noll stated it was a lot of money, but the library was in dire need of renovation, and it must be done with quality.

Discussion followed on the lack of renovations to the Yorktown facility since its opening in 1984.

Mrs. Noll stated if the project went out to bid and the cost was more than estimated, the Board would have another chance at it. She stated she felt the Board should direct staff to proceed with the bid process.

Chairman Zaremba asked if there was a time line for the renovations.

Mr. Kraus stated staff was planning to be the general contractor for the project to keep the cost down and expedite the project. The ideal way would be to bid everything and give everyone a lot of lead time. The library will have to be closed down for 4-6 weeks. Mr. Kraus stated a general contractor would demand more time.

Mr. Wiggins asked what was included in the \$32,000 for miscellaneous repairs.

Mr. Kraus explained it was for replacing cracked bricks, doors that are rusted, and basic structural things that needed to be addressed.

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By consensus the Board directed that staff move forward with the project and that a letter be prepared to the Library Board indicating the Board is prepared to go forward with the bid process, but it was looking for the Foundation to donate an amount to the project to help with the renovations.

Meeting Recessed. At 7:15 p.m. Chairman Zaremba declared a short recess.

Meeting Reconvened. At 7:25 p.m. the meeting was reconvened in open session by order of the Chair.

INDUSTRIAL DEVELOPMENT AUTHORITY BRIEFING

Mr. James Noel, Executive Director of the Industrial Development Authority (IDA) of York County, indicated that four members of the IDA were present—Messrs. Walsh, Llorente, Quisenberry, and Moberg. He then provided the Board members with a briefing on the origin of the IDA, the IDA's structure compared to that of other Virginia IDAs, and the IDA's draft Strategic Plan, or its near- and long-term objectives.

Mr. Wiggins asked how many of the IDAs in the state, out of the 124 that responded to the comparison survey, were independent and how many fell under the direction of their respective jurisdictions.

Mr. Stuck stated they are all independent by statute. Some of them have city or county staff that support them.

Mr. Noel indicated the study found that IDAs have widely different functions and vary as to their structure. Some meet only to ratify Industrial Revenue Bonds while others serve as the primary economic development staff. Four localities have programs like York County's—Fairfax, Henrico, and Halifax Counties, and the City of Fairfax. He then shared with the Board members comments received during interviews with state, regional, and local economic development officials regarding York's structure.

Discussion followed on the characteristics and responsibilities of a totally independent IDA and staff versus an IDA with county staff supporting it.

Mrs. Noll indicated she felt the other Board members were thinking of changing the York County IDA's structure, and she asked why they felt it needed changing.

Chairman Zaremba stated the measure of effectiveness of an IDA is how things are going, and he felt that Mr. Noel's assertions about York's structure could be challenged.

Mr. Noel stated he felt the structure was a good one, and the comments he had shared with the Board were received in talking with other IDAs. He stated his peers felt York County's structure was better.

Discussion followed regarding concerns of the Board on the IDA taking a different position from that of the Board on certain issues.

Mr. Stuck stated if an IDA had a structure such as York County, there had to be a very close relationship with the Board of Supervisors. He stated each incentive the IDA had completed in

the 12 years he had been County Administrator was always brought to the Board of Supervisors.

Chairman Zaremba stated he did not recall the IDA coming to the Board with the contract with respect to the Fuel Farm. The Board was not brought into that issue at all until after the fact.

Mr. Stuck noted that the Board Chairman had been involved in going to Richmond for negotiations which were completed prior to Mr. Zaremba becoming Chairman.

Chairman Zaremba stated it would have been a courtesy to bring this Board into the equation.

Mrs. Noll reiterated that the previous Board was a part of the negotiations and had discussed it. The project was ongoing for many years, and was something that everyone, both the County and the business community, wanted.

Mr. Burgett stated the point was that the Board did not have the opportunity of seeing the agreement before it was executed.

Mr. Noel indicated part of the problem was that the deal had been negotiated long before this Board was elected, and it was an oversight.

Mr. Burgett stated that the Board members are supposed to know what is going on, and people asked him questions about a project of which he was not aware.

Mr. Wiggins stated what bothered him about the way the IDA was set up now was that it took a lot of heat that it shouldn't be taking on its own. He stated he felt there was a County staff that could help the IDA, but the staff was not always aware of what was going on, and the staff was not properly utilized as much as it should be. He stated he did not see how it would change a thing for the IDA staff to work for the County Administrator, yet the Board would be advised of what was going on.

Mrs. Noll stated she felt the Board members were looking at different management styles. There was a management style for total control, and there was a style that allowed more freedom. She stated she felt it was actually a communications issue, and the Board was looking for more input in the IDA's activities. Mrs. Noll indicated that Mr. Noel now understood what it was the Board wanted, and she did not feel there was a need to change the structure in order for the Board to get what it wanted from him.

Mr. Noel then completed his briefing by discussing the draft strategic plan for FY2000-2004. He indicated that on June 24 at the scheduled retreat with the IDA the Board would have an opportunity to relay to the IDA its objectives and discussion could be held concerning strategies.

Chairman Zaremba indicated his big concern was how the current organization of the IDA relates to York County's vision of itself. York County would love to have the right kinds of businesses come in with the perks and benefits, but it also must keep in mind the historical significance of the area as a part of the Historic Triangle. He questioned whether or not the County wanted to attempt a vision that keeps the County purely historical or purely tourist-related, or whether it should be anything in between. Mr. Zaremba stated the Board had not,

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in his opinion, defined the vision as to what York County is; and without having a vision, it ran the risk of destroying what it might be.

Mr. Noel stated the IDA has tried to address that concern in the Board's Goal #4 to develop a tourism development strategy clearly defined for the whole county. He asked what kind of commercial tourism development did the Board want to see.

Mr. Burgett stated he felt this was something that should be established at the retreat.

Mr. Noel indicated the intent was to accomplish just what Mr. Zaremba articulated. It has been addressed in the economic development plan and the Comprehensive Plan, but never in terms of the types of development the IDA has been encouraging and fostering.

Mr. Stuck stated the IDA plan was more in terms of economic development, and he felt Mr. Zaremba was talking more in terms of the vision of the whole County. He noted the task falls more under the County's Comprehensive Plan, and he agreed that it probably fell short. He stated what the community has done and supported over a long period of time must be looked at. Through the Board's many policies, he stated he felt the vision of the community has been one that was very supportive of private property rights, that is very reluctant to use government power to restrict those rights, and that believes the residents should have some say so in various visual aspects such as buffers and green space; but in terms of types of uses, that now is being left to the commercial market. In looking at the development pattern in the Comprehensive Plan, Zoning Ordinance, and Land Use Plan, there were large areas that were zoned for economic opportunity.

Chairman Zaremba indicated that perhaps that was wrong.

Mr. Stuck noted his agreement, but stated this was what the community had done over the years, and all the County's plans were geared in that direction. This community has never made much of an effort to get into steering the direction of what happens within broad zoning categories.

Mr. Wiggins indicated the County was bordered on the south by Hampton which is not a historic community.

Chairman Zaremba noted his agreement, stating that when one leaves Newport News and Hampton and enters York County, the difference was not readily noticed; but in Yorktown, the County is pouring millions of dollars into bringing the town into its historic character. It was time the Board took a look at its vision. Mr. Zaremba stated the Board was at fault because it hadn't provided the proper guidance. York County had a special problem because of its geographical configuration.

Mrs. Noll stated she felt the County ran into a problem because most of the land ready for economic development was in the upper part of the County, and for a long time this area had been the focus. She stated she felt the Board needed to be sensitive to the historic value of the area, but it had to be open to the prospects as they came and all types of development, provided that it was good for York County. The staff provided recommendations based on the policies the Board set, and the citizens shared in the vision contained in the current Comprehensive Plan. She stated that as Mr. Stuck pointed out, personal property rights were very important to York County's citizens; but the Board was gradually moving toward oversight in certain areas.

Chairman Zaremba indicated the question was whether the Board wanted the Executive Director working directly for the IDA or for the Board of Supervisors so that the Board could be more involved in economic development in the County.

Mr. Stuck noted that unless there was a strategic reason, Mr. Noel did not get involved in commercial or retail projects. Those projects typically happen through individuals who may or may not contact Mr. Noel to see how to go through the process. Those projects located in York County because of the existing demographics. He stated the IDA got involved in the specific areas that the Board had zoned for economic development. The IDA was more interested in industries that could create jobs to the area. He stated he felt Mr. Zaremba was asking the Board if it wanted to keep or change its current vision.

Discussion followed concerning the current operation of the IDA and the impact of current zoning regulations on economic development.

Mr. Burgett noted his concern was that currently the Board was not being apprised of all the projects, good or bad. He cited the recent self-storage project as an example. He stated he would have expected Mr. Noel to have made comments on that proposal.

Mr. Noel stated he tried to stay away from storage facilities because he saw them as more a planning function, and they were not the type of projects he tried to attract.

Mr. Wiggins noted that Mr. Noel probably apprised Mr. Stuck of important projects.

Mr. Stuck stated Mr. Noel may not work for the County Administrator, but he had done a lot of work that he had been asked to do. He stated Mr. Noel was as good and as responsive as any staff member, and Mr. Noel informed him of things on a need-to-know basis. He indicated he made certain judgments about what to tell the Board, and sometimes mistakes are made. He stated he did not think anything would be different if Mr. Noel worked for him; what was important was how well the system works, not the structure of the system.

Discussion followed concerning the effectiveness of the IDA's Executive Director under the current staffing arrangement.

Chairman Zaremba asked Mr. Walsh for his input concerning the Board's sense that perhaps the Executive Director's position might be more effective under the responsibility of the County Administrator.

Mr. Ray Walsh, Chairman of the Industrial Development Authority, noted he had been involved in the review of the Comprehensive Plan, and he chose to be a member of the IDA because of the authority it had to make decisions and execute them. He stated he was not sure how it would work with the IDA Executive Director under the Board of Supervisors. The Board of Supervisors, in appointing members to the Authority, must have the confidence in them to execute things on the Board's behalf knowing that they have the best interest of the County in mind. Mr. Walsh stated he liked and was comfortable with the current structure, and his main concern in changing that structure was losing the flexibility to execute an economic development plan that the IDA members have agreed upon and the Board wanted. He noted he was confident that the other members of the IDA felt the same way, knowing that the current structure worked well. He stated the Authority tried very hard to keep the Board informed, and noted he had luncheon discussions with each of the current Board members concerning the

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Fuel Farm property even if the Board did not see the final agreement. He also noted that the IDA meetings were open to the public, and the Board members were encouraged to attend. Mr. Walsh indicated the relationship between the IDA and the Board must be a partnership or it could not be successful, and he encouraged the Board to give very careful thought before changing the structure.

Chairman Zaremba indicated his comments had nothing to do with respect to changing the structure or purpose of the IDA. He stated the only issue was whether or not the Executive Director would be more effective working for the County Administrator.

Mrs. Noll stated what has not been answered for her was how the other Board members felt the Executive Director would be more effective working for the County Administrator. She indicated Mr. Zaremba felt that he would be more responsive, but Mr. Noel now knows what the concerns are and he will be more responsive and provide the Board with more information. Mrs. Noll stated she did not see a need to change the staffing structure.

Chairman Zaremba stated he looked to an individual or office as the central location of each aspect of economic development in York County, and he wanted everything to do with that subject in one office with Mr. Noel and his staff charged with meeting those requirements. He stated he felt the Executive Director's mission currently was too narrow, and that under the County Administrator there would be more authority on the part of the Board to direct some of the things the Executive Director was involved in without disrupting the larger mission of the IDA. He asked the Board members to give thought to this because he would like to bring it to a decision at the retreat on June 24.

Meeting Recessed. At 9:30 p.m. Chairman Zaremba declared a short recess.

Meeting Reconvened. At 9:42 p.m. the meeting was reconvened in open session by order of the Chair.

CITIZEN SURVEY

Mr. Stuck provided the Board with information on the background of what was done with a survey a couple of years ago, stating it was implemented in response to the Board's retreat four years ago in order to get citizens more involved. Staff contracted with a company to do a general citizen satisfaction survey in order to get a baseline from which to work in the future. October of this year was when the County would do a second survey if it stayed on a two-year cycle. He noted Chairman Zaremba had expressed some concern about whether or not this type of survey served any purpose. Mr. Stuck stated that if the second survey was to be accomplished in October, the Board needed to tell staff to go forward so that they could organize the survey questions and hire the company to do the survey. He stated he felt that doing a survey of some type was a very good public relations tool and would provide a statistical base of how the County was doing. He explained that staff would evaluate the information for possible adjustments to current programs and to address those areas where the survey indicated the citizens were not happy. The cost should be approximately the same as the last one unless some major changes were to be considered.

Mr. J. Mark Carter, Assistant to the County Administrator, indicated one of the benefits of the survey was reaching all segments of the community. He stated the company did a good job of

making sure the County received a random survey. It was designed to give results that the County could depend on as representing the true feelings of the community.

Mr. Burgett suggested that the survey not be done until after this Board had been in office for a year.

Discussion followed on Mr. Burgett's suggestion.

Chairman Zaremba indicated the survey was purely statistical, and he felt it was an opportune tool for the citizens to address issues such as the Presidents Park proposal. He asked if there was any constraint in terms of moving the survey time up.

Mr. Stuck stated there should be an separate survey to deal with that issue which would be an additional cost.

Chairman Zaremba asked that some questions be structured for a survey on the Presidents Park that would be focused to provide the Board with information that gave it a true feeling of the citizens on the issue.

Mr. Carter noted the cost for such a survey would depend on the number of questions asked.

Mr. Wiggins stated the Board needed to consider what kinds of questions it wished to ask and then decide whether or not to conduct the survey, but not tonight.

After further discussion among the Board members, Chairman Zaremba stated he did not think the Board was opposed to the general survey as outlined in the materials or on another survey concerning the Presidents Park application.

Mr. Stuck indicated staff would put together questions for a President's Park survey for the Board's review; once the questions were finalized, staff would conduct the survey. In addition, he asked the Board members to look over the questions for the general survey for any suggested additions or changes. He stated staff would proceed with conducting the general survey in October.

CLOSED MEETING. At 9:58 p.m. Mr. Burgett moved that the Board convene in Closed Meeting pursuant to Section 2.1-344(a)(5) to discuss a prospective business or industry, or expansion of an existing business or industry, where no previous announcement has been made; and Section 2.1-344(7) regarding consultation with legal counsel.

On roll call the vote was:

Yea: (4) Noll, Burgett, Wiggins, Zaremba
Nay: (0)

Meeting Reconvened. At 10:24 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved proposed Resolution SR-1 that reads:

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A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM
OF INFORMATION ACT REGARDING MEETING IN CLOSED SES-
SION

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 13th day of June, 2000, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (4) Burgett, Wiggins, Noll, Zaremba

Nay: (0)

Meeting Adjourned. At 10:25 p.m. Chairman Zaremba declared the meeting adjourned sine die.

Daniel M. Stuck, Clerk
York County Board of Supervisors

Walter C. Zaremba, Chairman
York County Board of Supervisors